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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED

UNITED STATES OF AMERICA )

Case No. 08 MJ 2512

2008 AUG 14 AM 9:19

VS )

COMPLAINT FOR VIOLATION OF

21 U.S.C. Sections 952 & 960

Importation of a Controlled Substance

Edward Vasquez HUERTA )

CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

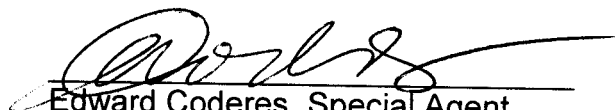
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The undersigned complainant being duly sworn states:

COUNT 1

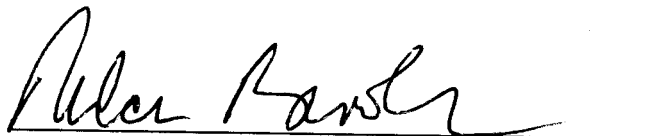
That on or about August 13, 2008, within the Southern District of California, Edward Vasquez HUERTA did knowingly and intentionally import approximately 20.30 kilograms of Marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



Edward Coderes, Special Agent  
U.S. Immigration and Customs Enforcement

Sworn to before me and subscribed in my presence, this 14<sup>th</sup> day of August 2008.



United States Magistrate-Judge

DA 8/13/08  
KMT

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### **PROBABLE CAUSE STATEMENT**

These facts are based on written and oral statements received from other law enforcement officers. I submit that the facts contained in this statement demonstrate that probable cause exists to believe that the Defendant named in the attached complaint committed the crimes charged in the complaint.

On August 13, 2008, at approximately 8:51 AM, Edward Vasquez HUERTA applied for entry into the United States from Mexico at the San Ysidro Port of Entry. HUERTA was the driver and sole occupant of a green 1993 Mazda MX6 with California/United States license plate number 3CJR068. United States Customs and Border Protection Officer (CBP) / Canine Enforcement Officer (CEO) Sigifredo Delgado along with his assigned Narcotic/Human Detector Dog (NHDD) "UNITED" was conducting pre-primary roving operation when UNITED alerted to the vehicle that HUERTA was driving. CEO Delgado received assistance from CBP Officer C. Navarro who was also conducting pre-primary roving operation with the Anti Terrorist and Contraband Enforcement Team (A-TCET). CBP Officer Navarro initially received two (2) negative customs declaration from HUERTA; who also stated that he was on his way to San Ysidro, California. However, when HUERTA noticed that UNITED alerted to his vehicle he retracted his declarations to CBP Officer Navarro. HUERTA then stated that there is something in the vehicle and that he is being followed by an unknown individual a few cars behind him. HUERTA further stated that he had been arrested before for smuggling.

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An Inspection of the vehicle by CBP Officer Jose G. Garcia resulted in the discovery and seizure of thirteen (13) packages, which contained a substance that was field-tested positive for Marijuana, a Schedule I controlled substance, with an approximate weight of 20.30 kilograms. The packages were discovered hidden inside the rear driver side and rear passenger side quarter panels of the vehicle. Post-Miranda Rights statements by HUERTA admitted knowledge that drugs were concealed inside the vehicle. HUERTA also admitted that he was arrested a few months ago (February 8, 2008) for smuggling marijuana across the border; and that he had just been released from custody about a month ago. HUERTA was arrested for violating Title 21, United States Code, Sections 952 & 960-Importation of a controlled substance. He was processed and subsequently booked into the Metropolitan Correctional Center, San Diego, California, pending judicial proceedings.

Executed on August 14, 2008 at 1000 hours

Edward Coderes



Special Agent

U.S. Immigration and Customs Enforcement (ICE)

On the basis of the facts presented in the probable cause statement consisting of two (2) pages, I find probable cause to believe that the defendant Edward Vasquez HUERTA named in the probable cause statement committed

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the offense on August 13, 2008 in violation of Title 21, United States Code, Section (s) 952 & 960 and United States Code Section 2.

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United States Magistrate Judge